

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

PHILIP PRATER

PLAINTIFF

VS.

CIVIL ACTION NO. 3:03-CV-1376 HTW/LRA

LAKEVIEW CONSTRUCTION, INC.,
ARONOV MANAGEMENT COMPANY, INC.,
MOTHERS WORK, INC., and JOHN DOES 1-4 DEFENDANTS

ORDER GRANTING DAMAGES

This matter came before the court on the motion of the plaintiff for default judgment against the defendant Mother's Work, Inc. for failure to appear and defend in the above styled and numbered cause. This court found the motion to be well taken and the same was granted. Federal Rule of Civil Procedure 54(c) states in relevant part that, "... damages cannot be awarded without a hearing and/or a demonstration by detailed affidavits and other evidence establishing the necessary facts to support the plaintiff's damages claim. *United Artists Corporation v. Freeman*, 605 F.2d 854, 857 (5th Cir. 1979). Accordingly, this court held a hearing on damages, heard the plaintiff's testimony regarding his injuries, and considered the submissions of counsel which included an expert opinion on lost wages, and is now prepared to issue the award of damages as follows:

Total lost wages (discounted) - \$394,526.00;

Current medical expenses - \$92,859.34;

Future medical expenses - \$50,000.00; and

Total pain and suffering - \$690,000.00.

Therefore, damages to the plaintiff are hereby awarded in the total amount of \$1,227,385.34.

SO ORDERED this the 29th day of January, 2010.

**s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE**

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